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February 14, 2023

Honorable Kiyo A. Matsumoto  
United States District Court, Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11202

Re: **1567 56th Street, LLC et al v. Spitzer et al, 1:22-cv-04873-KAM-RML**

Honorable Judge Matsumoto:

We represent Plaintiffs 1567 56TH Street, LLC, 1569 56TH Street, LLC, and Shlomo Braun and write to request an enlargement of time from February 17, 2023 until March 3, 2023 to amend the complaint. This is Plaintiff's first request.

Pursuant to the electronic Order of Magistrate Judge Levy, dated December 8, 2022, "the deadline for filing the amended complaint is extended to 2/17/23."

The injury of this case finds its origins in the forgery of Plaintiffs' title to two properties and the network in which Defendants encumbered such properties in order to accumulate more real estate.

On December 8, 2022, the Court explored settlement. At the settlement conference the Court ordered that "targeted discovery shall be completed by 2/7/23. With the approval of Judge Matsumoto, the deadline for filing the amended complaint is extended to 2/17/23."

On February 3, 2023, Defendants Dekel Abstract, Abraham Teitelbaum and Jehuda Weisz emailed documents showing that a bulk of the money of encumbering Plaintiffs properties went to BSD Realty Holdings Inc, ("BSD Realty") which is not a party to this action. Accordingly, Plaintiffs are currently researching the interplay of BSD Realty with the entire enterprise, so it can properly plead the factual elements necessary regarding BSD Realty. This has led Plaintiffs to research public records among several states, sorting out all the documents and manually examining them for relevance.

The interplay of BSD Realty led to discover of more factual elements that are vital to describing the racketeering enterprise. For instance, on February 6, 2023, the Plaintiffs learned about the seeming kickback, that Defendant Judah Weisz received for notarizing the fraudulent deeds of Plaintiffs' properties, which involved his receiving title to a home from Arthur Spitzer. A few days later, Plaintiffs learned about real property that Isidor Bleier received from Artur Spitzer as part of the agreements between Defendants. These are only a few examples of information which Plaintiffs have recently discovered.

The network of the racketeering enterprise is far more involved than originally known. At first glance, initially, Plaintiffs did not know that BSD Realty was involved in the fraudulent enterprise. As a direct result, Plaintiff will not be able to complete amending the complaint by February 17, 2023, but needs adequate time to complete the amendment of the complaint.

The Plaintiffs are still within the time frame of FRCP 15(a)(1) to amend the complaint as a matter of course. Prior to making this application, Plaintiffs sought consent from opposing counsels. The responses were as follows: PS Funding consented to the request. Counsel for Dekel Abstract, Abraham Teitelbaum and Jehuda Weisz by reply email indicated that they are on vacation and no other response was received. Counsel for Rosa Funding LLC, Josh Weinfeld, and Isidor Bleier did not offer a position but rather stated that “after you have apologized for yesterday’s unpleasant phone call and subsequent inaccurate accusatory letter, I will gladly discuss consent and terms thereof.” (Seemingly counsel was reacting to [ECF 27] regarding his clients failure to furnish “targeted discovery” directed by the Honorable Magistrate Judge Levy by electronic Order dated December 8, 2022).

The requested extension affects the time frame for Defendants to respond which has not been set by the Court. This request may also affect the Magistrate’s scheduling order for the next settlement conference scheduled for February 28, 2023.

Defendants would suffer no prejudice, and the short extension will assist the parties, their counsel and the Court, in avoiding the waste of resources regarding premature motions to dismiss, motions of Plaintiff to amend the complaint further, and required pre-motion conferences.

Wherefore, Plaintiffs respectfully request an order granting an enlargement of time from February 17, 2023, until March 3, 2023, for Plaintiffs to amend the complaint.

Respectfully submitted,

/ s / Levi Huebner

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Levi Huebner